

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON WAYNE GLOVER,

Defendant.

CR-13-97-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on January 8, 2021. (Doc. 86.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 5, 2021. (Doc. 80.) The United States accused Glover of violating his conditions of supervised release 1) by consuming alcohol; 2) by failing to report for substance abuse testing; 3) by failing to report for substance abuse treatment; 4) by failing to report for mental health treatment; 5) by using methamphetamine on two separate occasions; 6) by

possessing methamphetamine; 7) by failing to notify his probation officer of a change in residence; 8) by committing another crime; 9) by possessing methamphetamine, oxycodone and marijuana; and 10) by possessing a firearm. (Doc. 79.)

At the revocation hearing, Glover admitted that he had violated the conditions of his supervised release by 1) by consuming alcohol; 2) by failing to report for substance abuse testing; 3) by failing to report for substance abuse treatment; 4) by failing to report for mental health treatment; 5) by using methamphetamine on two separate occasions; 6) by failing to notify his probation officer of a change in residence. The Court dismissed alleged violations 6, 9 10 and 11 on the government's motion. (Doc. 80.) Judge Johnston found that the violations Glover admitted proved to be serious and warranted revocation, and recommended that Glover receive a custodial sentence of 10 months, with no supervised release to follow. Glover was advised of the 14 day objection period and his right to allocute before the undersigned. (Doc. 80.)

The violation proves serious and warrants revocation of Glover's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 86) are **ADOPTED IN FULL. IT IS FURTHER**

ORDERED that Defendant Brandon Wayne Glover be sentenced to a period of custody of 10 months with no supervised release to follow.

DATED this 26th day of January, 2021.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court

